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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2855

PATENT
2927-0113P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Noritoshi NAKAGAWA et al. Conf.: 8419
Appl. No.: 09/607,324 Group: 2855
Filed: June 30, 2000 Examiner: A. ALLEN
For: VISCOELASTIC CHARACTERISTIC VALUE-
MEASURING APPARATUS AND METHOD OF
MEASURING VISCOELASTIC CHARACTERISTIC
VALUE

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

RECEIVED
MAY -8 2002
TC 2800 MAIL ROOM

Assistant Commissioner for Patents
Washington, DC 20231

May 6, 2002

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated November 6, 2001 of the Primary Examiner finally rejecting claims 1-15.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

☒ An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on April 8, 2002. Thus a fee of \$520.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

05/07/2002 RXARRIS1 00000052 09607324

01 FC:117
02 FC:119

520.00 OP
320.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$840.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Checks in the amount of \$520.00 (extension fee) and \$320.00 (Notice of Appeal fee) are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

Andrew D. Meikle, #32,868

ADM/JES:sld
2927-0113P

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(Rev. 02/20/02)